



**Town of Arlington, Massachusetts**  
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## Selectmen's Minutes 06-19-2006

### TOWN OF ARLINGTON BOARD OF SELECTMEN

Meeting Minutes

Monday, June 19, 2006

7:15 p.m.

Present: Ms. LaCourt, Vice Chair, Mr. Hurd, Mrs. Mahon, and Ms. Rowe.

Also present: Mr. Sullivan, Mr. Maher, and Mrs. Krepelka.

Absent: Mr. Greeley, Chair.

#### **7:00 P.M.**

#### Flag Ceremony

Michael Loud and Daniel Reedy, Troop 313, presented the flag to the Selectmen in thanks for the town allowing the use of the Selectmen's Hearing room for the Eagle Scout Boards of Review meetings.

Mrs. Mahon moved to have the flag remain in the Selectmen's Hearing room.

SO VOTED (4-0)

#### FOR APPROVAL

#### 1. Minutes of Meeting: June 5, 2006

Mr. Hurd moved approval with one correction: #4 at the end " Ms. Rowe discussed that she and Officer Quintal will be working on recommendations for a town wide policy on dog parks along with the Board of Health, Police, and citizen groups."

SO VOTED (4-0)

### APPOINTMENTS & REAPPOINTMENTS

#### 2. Appointment: Redevelopment Board

Bruce Fitzsimmons

(from 06/05/06 meeting)

Ms. Rowe moved approval of the Town Manager's recommendation.

SO VOTED (3-0-1)

Mr. Hurd abstained.

Chairman Greeley asked that the following statement be included in the official record:

"Since this position has been open and he has made it clear he would like to serve, I have been committed to supporting Tommy Caccavaro. I believe his excellent work on both the PTBC and the Parks and Recreation Commission and his experience as a developer make him uniquely qualified to serve. I mean no disrespect to Mr. Fitzsimmons or any other candidates – I wish them well. I am sure that they would be fine members. Ms. Rowe stated she had received several calls and e-mails supporting John Worden. Ms. Rowe said she was confident that Mr. Fitzsimmons was chosen because of his background and experience and would make a good addition to the Board.

3. Appointment: Transportation Advisory Committee (full member)

Howard Muise

Mr. Hurd moved approval.

SO VOTED (4-0)

4. Appointments: Arlington Cultural Council

Roz Cummins

Sharon Shaloo

Abby Subak

(terms to expire 06/09)

Mrs. Mahon moved approval.

SO VOTED (4-0)

5. Reappointment: Board of Youth Services

Mary Deyst

(term to expire 04/01/09)

Mr. Hurd moved approval.

SO VOTED (4-0)

6. Reappointments: Public Memorials Committee

Alexander Salipante, Chair

Franklin W. Hurd, Jr.

Wilfred J. St. Martin

(terms to expire 06/09)

Mr. Hurd moved to table until 7/10/06.

SO VOTED (4-0)

Ms. Rowe raised questions regarding the naming of memorials after living people. She asked that the Selectmen revisit the policy about living memorials and asked that the Public Memorials Committee review neighboring communities' guidelines.

Ms. Rowe also suggested that she would like to see a project where longtime town employees are recognized with "brass bricks". Many town employees have served many years of service and she feels they should be recognized in some way.

**TRAFFIC RULES & ORDERS/OTHER BUSINESS**7. Request: Stop Sign(s) at Dickson/Wheeler/Morningside

Edward Starr, Chair, Transportation Advisory Committee

**Marathon St./Waldo Rd. recommendations:**

1. Replace the graffiti-covered, faded stop sign on Waldo Rd. westbound.
2. Add a stop sign warning sign on Waldo Rd. westbound.
3. Paint stop bars on Waldo Rd. at the intersection.

Mr. Hurd moved approval of these recommendations.

SO VOTED (4-0)

**Dickson/Wheeler/Morningside recommendations:**

1. Place stop signs on Dickson at Wheeler Lane.
2. Request property owners on the southeast corner of the intersection to trim the bush that obstructs visibility.

Mr. Hurd moved approval of these recommendations. SO VOTED

SO

VOTED (4-0)

8. Request: Acceptance of Revolving Accounts

Thomas Markham, Assistant Superintendent, Minuteman Regional High School

Ms. Rowe moved approval.

SO VOTED (4-0)

9. Discussion: Beer & Wine Package Store Standards

Brian F. Sullivan, Town Manager

John F. Maher, Town Counsel

(from 06/05/06 meeting)

There was much discussion on rules and regulation changes by the Selectmen, Mr. Sullivan and Mr. Maher.

Michelle Meagher, Director of the Chamber of Commerce, requested that the Selectmen decide on rules and regulations that would help businesses be successful including offering wine and beer tasting, which are important marketing tools.

Mr. Gordon Jamieson, Precinct 12, requested that the Selectmen allow beer and wine tastings in the package stores and at restaurants.

Ms. Rowe moved approval to accept the rules and regulations packet with the changes from this meeting

SO VOTED (4-0)

Mr. Maher will work on the fee and application and will advise the Selectmen by e-mail before July 1<sup>st</sup>.

Mrs. Mahon left the meeting

Mr. Greeley asked that the following statement be included in the official record:

I believe that once we have finalized the standards and procedures we should hold one more public hearing for input on their concerns and questions about these issues. This will probably delay the start of the process for applying – but I'd rather err on the side of caution vs. speed. We really have only had a little over a month since the end of Town Meeting to discuss and formulate these.

On the standards, I would strongly urge that you allow for wine and beer tastings in these stores. In speaking with 3 different owners of similar types of beer and wine stores – all emphasized that it is a necessary part of business to hold these. Otherwise, they would be very limited in the amount of offerings they would have.

On the delivery issue – if indeed other out-of-town stores can deliver into Arlington-then it would be unfair to not allow Arlington stores to do the same. We should allow deliveries. These deliveries should only be allowed to an adult with proper identification – as would be required in the store – and not just left on a porch.

### **CITIZENS OPEN FORUM**

Any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established.

Gordon Jamieson, Precinct 12, stated the Big Recycling Day is Saturday, June 24<sup>th</sup> at Town Yard, from 9 a.m. to 11 a.m.. You can bring used propane tanks, old sneakers, books, tapes, CDs, DVDs, video tapes, games, etc. There will be a charge of \$10.00 for TVs and computers.

10. **Discussion: Goal Setting Meeting Date**

Ms. Rowe moved to table.

SO VOTED (3-0)

11. **Discussion: Selectmen's Meeting Schedule**

Ms. Rowe moved to table 7/10/06.

SO VOTED (3-0)

12. **Discussion: Board of Selectmen's Participation in ACLU Complaint**

Bob Sprague

Mr. Hurd stated that he would prefer to have all five Selectmen present before a vote is taken.

Mr. Sprague stated that he had spoken with the ACLU and they did not want the BOS to join with the complaint that has been backed by the mayors of Newton Northampton, Chicopee and Somerville. The ACLU did request a letter to the government asking for hearings.

Bruce Wheltle, Coolidge Road stated that the NSA issue is one of the most important concerns in the country. He feels the data-sharing program offensive and a violation of the Fourth Amendment. Mr. Wheltle stated he was disappointed that only three members were present and would like to see the five members of the BOS stand united.

Ms. Barbara Boltz, member of the Arlington United for Justice with Peace, and a supporter of the 2003 Town Meeting article against the USA Patriot Act, stated that the NSA program is a continuation of the USA Patriot Act Three years ago.

Bruce Wright, 15 Nourse Street, asked the Selectmen to place a question on next year's town election about said issue. He feels that residents should have a choice as to whether or not the Selectmen should write a letter asking for a hearing. Mr. Wright does not feel the full story on the NSA and its alleged overstepping its bounds has been proven. He suggested that it would enlightening to some of the Board and perhaps all of the Board that there are such divergent opinions in "our village".

Ms. LaCourt stated the Selectmen shouldn't wait until next Spring, but should move forward when the issue is timely. Ms. LaCourt feels that data-mining program is worse than if the NSA was wire-tapping calls. Ms. LaCourt supports the Board in sending a letter alleging that Arlingtonians' Fourth Amendment rights have been violated.

Ms. Rowe agreed with Ms. LaCourt and feels local officials have a responsibility to speak out on the matter. Ms. Rowe believes that any infringement of any individual freedom must be stopped.

Ms. Rowe moved to table 7/10/06.

SO VOTED (3-0)

13. Endorsement of: Edward Burns Skating Rink, Arlington High School

John W. Hurd, Selectman

Mr. Hurd presented preliminary ideas regarding the building of the Edwards Burns Skating Rink at Arlington High funded by private donations (other than the land and the negotiated settlement amount of the toxic waste clean up) for the construction and maintenance of the first ten years. Ms. LaCourt and Ms. Rowe expressed a desire to include other facility amenities such as a field house, track and possibly a pool. Mr. Hurd agreed these would be great additions, yet since the last time they were discussed the financing for them remained the same-there is no money in the budget (especially since monies are still needed to rebuild the remaining schools) and there has been no effort to privately finance the ideas. There is however considerable momentum and monies promised to build an ice rink-somewhere in the vicinity of 5 million dollars.

Mr. Sullivan, Town Manager, supported Mr. Hurd's comments stating that there are no foreseeable capital fund monies towards such a project when even the completion of the school renovations is in jeopardy. Ms. LaCourt requested clarification and wants a master plan including analysis of demand in data roughly 10 pages with a 10-year projection plan.

After further comments from rink committee members and the audience, the Selectmen agreed that they would like the School Committee to vote approval of the project and that a detailed plan be discussed at a future meeting.

Ms. Rowe moved to table until we receive the support of the School Committee.

SO VOTED (3-0)

14. Approval: National Incident Management System

Alan McEwen, Fire Chief

Mr. McEwen stated that this system stresses the same and better organization and accountability in all 50 states. It is also a requirement in order to participate in grant funding.

Mr. Hurd moved approval.

SO VOTED (3-0)

Correspondence Received

Jane Lyman  
Comcast

Comcast Leaders & Achievers Scholarship

Be Rec'd

Arlington United for  
Justice with Peace

National Security Agency

Be Rec'd

Mr. Hurd moved receipt of correspondence.

SO VOTED (3-0)

NEW BUSINESS

Mr. Maher stated that an additional meeting is needed to review the Comcast cable negotiations after the Cable Advisory Committee has approved the negotiations.

Mr. Sullivan reported that the Park Circle rebuilding is moving ahead and will begin in the next 90 days. Elizabeth Construction is the name of Contractor,

Mr. Hurd commented that there are on going discussions concerning allowing 1 day parking permits in the municipal lot.

Mr. Hurd also reported that the 4th of July firework viewing at Robbins Farm is all set and sponsored by N-Star.

Mr. Hurd reported that John Griffin, a member of the Arlington Housing Authority has resigned and that the Selectmen will have to be involved with appointing a replacement to fill the unexpired term. Mr. Maher will work with the Chair of the Selectmen and the Chair of the Housing Authority to coordinate the appointment.

Ms. LaCourt announced that there has been much discussion on the Arlington list regarding Zipcars coming to Arlington. The Transportation Advisory Board and Laura Weiner, Housing Director, will be preparing a report for the Board at a future date.

Ms. Rowe moved to adjourn at 9:40 PM.

SO VOTED (3-0)

A True Record: Attest:

Marie A. Krepelka  
Board Administrator